

Senate Bill 107

By: Senators Harp of the 29th, Unterman of the 45th, Weber of the 40th, Chapman of the 3rd, Adelman of the 42nd and others

A BILL TO BE ENTITLED  
AN ACT

To amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to control of signs and signals along the state highway system, so as to prohibit outdoor advertising from being erected or maintained in certain areas; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to control of signs and signals along the state highway system, is amended by adding a new Code section to read as follows:

"32-6-73.1.

(a) As used in this Code section, the term:

(1) 'Environmentally sensitive area' means an area which is subject to a conservation use covenant for ad valorem tax purposes under Code Section 48-5-7.4 or 48-5-7.7.

(2) 'Flood plain' means that area adjacent to a perennial stream which is subject to being flooded with a probable frequency of at least once every 100 years as identified on the applicable Federal Emergency Management Agency flood insurance rate map.

(3) 'Perennial stream' means any perennial stream the long term median flow of which equals or exceeds 50 cubic feet per second according to the Department of Natural Resources.

(4) 'Wetlands' means those wetlands that are under the jurisdiction of the United States Army Corps of Engineers pursuant to Section 404 of the federal Clean Water Act, as amended, or depicted or delineated on maps compiled by the Department of Natural Resources.

(b) No outdoor advertising shall be erected on or after July 1, 2009:

(1) Within 660 feet of the nearest edge of the right of way and visible from the main traveled way of the interstate or primary highways in this state; or

27 (2) Beyond 660 feet of the nearest edge of the right of way of the interstate or primary  
28 highways in this state outside of urban areas so as to be visible and intended to be read  
29 from the main traveled way,  
30 in any case where such outdoor advertising or any private way constructed or maintained  
31 to provide access to such outdoor advertising would be located within the flood plain of  
32 any perennial stream; within 2,000 feet of the banks of any perennial stream; within 2,000  
33 feet of any wetlands; or within any environmentally sensitive area."

34 **SECTION 2.**

35 All laws and parts of laws in conflict with this Act are repealed.